

APPROVED
Centerville Township Planning Commission
Regular Meeting
Leland Public Schools – Performing Arts Center
October 3, 2022

Call to Order: Tim Johnson, Chair, called the meeting to order at 6:30 PM.

Attendance: Present: Tim Johnson, Jamie Damm, Joe Mosher, Lindy Kellogg. Absent: Dan Hubbell. Staff Present: Recording Secretary Dana Boomer, Zoning Administrator Tim Cypher

Johnson introduced the Planning Commission, staff and applicants.

Public Comment: None

Agenda: The PC reviewed the agenda. **Motion to approve agenda as presented by Mosher, second by Kellogg. All in favor, motion carried.**

Conflict of Interest: None

Revise/Approve Minutes:

The PC reviewed the draft minutes of the September 21, 2022 special meeting. **Motion to approve the September 21, 2022 special meeting minutes as presented by Damm, second by Mosher. All in favor, motion carried.**

Report from Township Board Representative: As Hubbell was not present, there was no update from the Township Board.

Report from ZBA Representative: Damm and Cypher reported that there were no meetings and nothing in the pipeline.

Report from Zoning Administrator: Cypher had previously distributed his reports for August 2022. September was also a busy month; those reports have not been distributed yet. Cypher provided an update on ongoing zoning enforcement. The PC briefly discussed.

Zoning/Planning Issues:

Leelanau Pines Campground Site Plan Review – Johnson summarized the process for a site plan review and the possible outcomes. Any decision must be supported by documentation and findings of fact.

Brion Doyle, Shannon Sullivan, and Jason Vander Kodde were present representing the applicant.

Applicant Response to PC Request for Timeline Extension:

At the September 21, 2022 meeting, the PC requested a 90-day extension to the timeline for review. They asked the applicant respond to that request as soon as possible. The applicant indicated they would respond at the October 3, 2022 PC meeting. Vander Kodde spoke for the applicant and state that they have spent the last two weeks considering the request. Northgate has been working on this process for almost six months now, and has already made many changes to their original application to simplify and reduce the requested expansion. Vander Kodde summarized the changes that have been made to the application since the original proposal to the PC. The applicant is not willing to extend the timeline for 90 days as the PC requested. The applicant is only willing to extend the timeline until October 15, but is willing to attend a special meeting at any point between now and October 15.

PC Deliberations on Findings of Fact (cont.):

The PC continued the review of the draft findings of fact as begun at the September special meeting. The PC continued their discussion of the Standards for Granting Site Plan Approval, starting with item 6.

6. All buildings or groups of buildings shall be so arranged as to permit emergency access by some practical means to all sides. – This is addressed by the Cedar Area Fire & Rescue Fire Chief, and there will be a condition regarding approval by the Fire Chief. Damm asked if the Fire Chief’s review included the most recent site plan. Cypher stated that he had not received any updated review from the Fire Chief after he was sent the most recent site plan, so he is working from the August letter from Chief Doornbos.

7. If there is a pedestrian circulation system, it shall be insulated as completely as reasonably possible from the vehicular circulation system. – Cypher stated that the nature trail was removed from the site plan.

Damm – She would like to see the pedestrian crosswalks marked, bike lanes marked, and physical speed reduction measures put in place. Kellogg and Damm agreed.

Johnson – He has some serious concerns about the separation between vehicle and pedestrian circulation systems. There have been several comments from existing campers who are concerned about the lack of enforcement of existing speed limits and the safety of pedestrians, especially children.

8. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant material no less than six (6) feet in height. – Cypher asked the applicant to speak to this. Vander Kodde stated they will comply with the Zoning Ordinance.

9. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Kellogg stated that there appears to be some ambiguity about the lighting in the parking areas, and whether the lighting in the parking lot near the shore would be on all night, as it would reflect onto the lake. Johnson feels there is not enough detail to confirm whether

the lighting meets the Zoning Ordinance. Cypher asked whether the PC would like a condition that the lighting will comply with the Zoning Ordinance. Kellogg thinks this is too broad.

Cypher asked the applicant to expand on the lighting plan. Vander Kodde stated that the lighting will be minimal. He summarized the information presented on several sheets of the site plan, which detail the lighting that will be provided for the street and parking lot system. They are proposing three post-mounted lights and the existing lighting sign. Those will be photo-cell lights that will be on when it is dark. Cypher asked if the applicant had considered motion-sensor lights. Vander Kodde replied that they have found that motion-sensor lights are more distracting and irritating in a campground than photo-cell lights that are on continuously during dark hours. Damm asked if the lights would still be on when the campground was not operational during the winter. Vander Kodde stated that unless the Fire Chief required them to be operational, they would be turned off. The PC had a consensus to have a condition that the lights would be non-operational when the campground was not open, unless otherwise required by authorizing agencies.

10. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are a part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified by the County Road Commission. – Cypher stated that the only portion of the vehicle circulation system regulated by the County Road Commission is where the driveway intersects the public roadways and where traffic is on public roadways.

Damm asked whether the error she had noted in the traffic study was corrected. Vander Kodde stated that the modeling software only allows two-way stops or four-way stops, so a three-way “T” intersection cannot be modelled correctly. Damm stated that the study currently has the stop sign on Schomberg Road, where there is no stop sign, and no stop sign on Lakeshore, where there is a stop sign. Vander Kodde said he would have this corrected.

Damm would like to have a condition regarding approval by the County Road Commission. Damm would also like to consider a condition to have the applicant and Road Commission work together to install a right-turn taper into the campground. Vander Kodde stated that there is a deceleration taper and right-turn lane being provided to vehicle traffic approaching from the south at the entrance to the campground.

Kellogg stated that within the park, she does not see markings regarding which roads will be one-way and which will be two-way, and asked if this could be pointed out or added. In working with the fire department, the road widths have been expanded, and so she is wondering whether this has changed the one-way versus two-way notations. Vander Kodde stated that all roads within the park are two-way, with the exception of where the road splits around the island at the entrance to the park. There are two different lane

widths, based on fire code recommendations. Most existing roads will remain the same width, with the exception of the roads directly in front of the entrance and the road to the dry hydrant at the launch, which will be widened to accommodate fire apparatus. Kellogg asked for road widths to be provided as part of the site plan.

11. All streets shall be developed in accordance with the Centerville Township Private Road Ordinance or the Leelanau County Road Commission specifications as required. – Cypher stated that because of the existing use, the private road ordinance likely will not apply. Damm asked about the off-street parking section of the Zoning Ordinance, and whether this would apply. Damm stated that the off-street parking section requires 1.5 parking spaces per rental unit, and there is currently only 1 designated parking space per camp site. Cypher stated that he believes there is enough parking to allow 1.5 spaces per camping space. Vander Kodde stated that there is enough room for two vehicles to park in each campsite. The PC had consensus for a condition that requires compliance with Zoning Ordinance Section 6.6 regarding off-street parking.

12. Site plans shall fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and/or the County Road Commission. – This is addressed by the County Road Commission, and there will be a condition regarding approval by the County Road Commission. Kellogg stated that in the application, input is requested from state agencies, including MDOT; the application states “no impact”. Kellogg asked if this “no impact” was an opinion from MDOT or from the application. Vander Kodde stated that because the road in front of the campground is not an MDOT highway, an MDOT review is not applicable. Kellogg does not think that “no impact” is correct – the application should say “not applicable as regards to MDOT”.

Johnson believes the current site plan does not demonstrate adequate compliance with this section. He wants to focus on the documents that have been provided, rather than having a back and forth with the applicant on each question. Cypher asked if that means that the PC does not want clarification from the applicant? Johnson stated that yes, he wants to depend solely on the documents submitted.

Kellogg stated that while they have been receiving updated site plans, they have not been receiving updated applications, and the two diverge. There is now outdated or incomplete information in the application. She does not believe the application is complete. The application asks for detailed information, which is not provided. In addition, the application is vague with regards to portions of the site plan.

Cypher stated the applicant has provided extensive submittals in addition to their application, and those should be considered as part of the application. Kellogg thinks that because the application is what is signed by the applicant, that is what should be the official document. She thinks that anything that should be considered part of the application should be noted as an “addendum” or “addition” to the application, not just an additional document. Cypher stated that these additional documents are to be considered part of the record, but that these could be made an official part of the application if the PC would prefer. Cypher suggested a condition that all submittals should be represented

as part of the official final application, rather than being transmitted as multiple separate documents. The PC had consensus to set this condition.

13. Site plans shall fully conform to the applicable fire safety and emergency vehicle access requirements of the State Construction Code and/or local Fire Chief requirements. – This is addressed by the Cedar Area Fire & Rescue Fire Chief, and there will be a condition regarding approval by the Fire Chief. Johnson does not feel that the final review of the Fire Chief has been completed, as the site plan has changed since the letter received from the Fire Chief. He would like to see a final review letter from the Fire Chief before considering this standard met.

14. Site plans shall fully conform to the County Soil Erosion and Sedimentation Control Ordinance. – This is addressed by Soil & Erosion Control, and there will be a condition regarding approval by Soil & Erosion Control. Damm asked whether final Soil & Erosion Control approval had been received. Cypher read the statement from Soil & Erosion Control in July, which acknowledged receipt of the initial site drawings and asked for additional information. Cypher stated that it is a standard condition that final approval be received from permit-granting agencies before a land-use permit is issued.

Johnson stated that there are a number of letters from permit-granting agencies that acknowledge receipt of information but don't provide approval of the plans. Cypher asked if the PC would like a condition outside of the usual conditions that provides additional focus on the applicant's conformation to the County Soil Erosion and Sedimentation Control Ordinance. Cypher stated that there could be a condition that agency recommendations could be required and reviewed by the Planning Commission before granting approval. The PC was more comfortable with a condition of this sort, due to the importance of this project. Cypher stated that the ordinance allows the PC to either wait for permits to be granted from other agencies, or to approve the site plan with conditions dependent on those granted permits.

15. Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the District Health Department. – This is addressed by the Health Department and there will be a condition regarding approval by the Health Department. Johnson stated that the most recent letter from the District Health Department expressed reservations with regard to the soil conditions and the lagoon system, and there has been no follow-up submitted from the applicant. The PC has the same concern with this standard as to the previous standard.

16. Site plans shall fully conform to all applicable state and federal statutes. – There is a standard condition with regard to this standard. Cypher stated that his determination is that the lagoon system is not considered part of the lot coverage, as a septic system would not be. The PC has concerns that they do not have all of the pertinent information with regard to applicable state and federal statutes.

17. Site plans shall conform to all applicable requirements of local, state and federal statutes and approval shall be conditioned on the applicant receiving necessary state and

federal permits before final site plan approval or an occupancy permit is granted. –
There is a standard condition with regard to this section, requiring all applicable requirements be met.

The PC then moved to a discussion of conditional approvals, as listed on page 10 on the Findings of Fact. Johnson does not think that a discussion of conditional approvals is appropriate at this point. Mosher asked if conditional approvals must be or should be discussed before any motion is made. Damm asked what a motion could look like at this point if one was made. Johnson stated that any member at any time could make a motion to approve, approve with conditions, or deny the application. A second would be required for discussion, then after discussion, the motion could be withdrawn, amended, or a vote called. Cypher stated that the applicant has replied regarding conditional approvals and operational guarantees in their response to questions as discussed at the September special meeting.

Cypher reminded the PC that pertinent Master Plan sections are present at the beginning of the draft Findings of Fact document. He asked whether the PC was interested in discussing these sections. Johnson said he was not ready to discuss the application as it relates to the Master Plan at this time. Mosher asked whether Cypher was asking about compatibility between the application and the Master Plan. Cypher stated that the applicant has stated that they feel their application meets the Master Plan, and is wondering if the PC would like an opportunity to express their own thoughts on the subject.

Mosher thinks that it is very important that any decision that is made is rooted in compliance with the Master Plan and Zoning Ordinance. The unanimous public opposition is interesting and compelling, but this is not a public referendum. The review of this application needs to both honor the applicant's rights and meet the needs of the community. At this point, however, he stands in opposition to the application. Damm asked if Mosher was ready to make a motion. Mosher stated that any motion that was made needed to be detailed and defensible. He thinks that additional time is needed, and would be in the best interest of both the applicant and the community for additional time to be granted. The approval cannot be granted at a special meeting, so tonight is the last chance to take action on this. And since there is no additional time for review and consideration, he feels that this application needs to be denied.

Damm moves that the PC denies the application for Special Land Use Permit as presented by Northgate, LLC. Kellogg seconded.

Discussion: Damm feels that this application is in opposition to both the Zoning Ordinance and, more specifically, Master Plan Section 8.4, which states that the Master Plan does not anticipate expansion of the uses or the district of the Commercial Resort District. The application details expansion to the campground that is in opposition to the Natural Resource Goal of the Master Plan, and specifically does not address potential environmental impacts of the expansion. The application also violates the Zoning Ordinance by not minimizing tree removal and topographic changes, as well as not properly separating pedestrian and vehicle circulation systems. In addition, the application has given varying numbers for numbers of existing campsites, numbers of added campsites, and total numbers of campsites when the plan is completed. These varying

numbers provoke a lack of confidence in the remainder of the information provided in the application and additional documentation.

Johnson stated that he had prepared a multi-page motion that was vetted by legal counsel. It included a substantial portion of what Damm stated, but not everything. Damm stated she would withdraw her motion if Johnson's motion is substantially similar.

Damm withdrew her motion.

Johnson distributed hard copies of his motion to the Planning Commission and staff and read into the record his motion (see attached for full language, with highlighted amendments).

Johnson moved to deny the Special Land Use Permit application presented by Northgate, LLC per the full language of his prepared motion (see attached, with highlighted amendments). Kellogg seconded.

Discussion: Johnson stated that he also agrees with Damm's concerns regarding accuracy of the site plan and various documents. Mosher is also concerned that the application does not support Master Plan sections 7.2.4 & 7.2.5 in that it does not provide any housing outside of that for seasonal staff or additional opportunities for year-round employment. The PC discussed the motion and made several language changes (see attached for highlighted amendments), as well as fixing typos.

Damm read the paragraph she had composed regarding the accuracy of the plans. Johnson asked for this to be added to the final motion.

Mosher stated that regarding the discussion about the expansion of uses, he feels that the plain language standard would clearly show that expansion and growth are synonyms. In his opinion, the Master Plan is clearly referring to the expansion of the existing campground uses, as well as new uses within the district. The PC discussed whether to include language regarding Mosher's point in the motion, and agreed to do so.

Based on the additional amendments with additions by Damm and Mosher, **Johnson withdrew his original motion.**

Johnson moved to deny the Special Land Use Permit application presented by Northgate, LLC per the full language of his prepared motion (see attached, with highlighted amendments and the addition of language by Mosher and Damm). Damm seconded. Roll call vote: Damm (aye), Kellogg (aye), Mosher (aye), Johnson (aye). Motion carried.

Johnson stated that the 90-day review period is a self-imposed limit – he has spoken with the county and several other jurisdictions and this is not a necessary limit. Johnson will be bringing forward a Zoning Ordinance amendment to either amend or remove the review period. In the meantime, the review period is still a part of the Zoning Ordinance. Johnson asked the Zoning Administrator, in the meantime, to review any amendments to submitted site plans and determine whether they are administratively complete and re-set the 90-day time period. In addition, he

would like the PC to request of the Zoning Administrator that new information and revised submittals be presented to the PC at least 7 days in advance of any meeting to allow adequate time for review.

Public Comment – Don Baty - He heard a suggestion tonight that the campground is a pre-existing use, while the public hearing notice was very clear that this was a Special Land Use permit request. He wants to make sure that everything that has been submitted by the applicant be maintained as part of the record. In connection with the SUP permit approval process, he wants to note that the approval process makes reference to the welfare of surrounding landowners. He would like to see this added to the findings, because he does not believe this application takes that welfare into account. In reference to looking at a pre-existing use, he is sure the attorneys will have input, he thinks it is important to note that it is not appropriate in a pre-existing use to have a substantial change in the use without approval. He feels this is a material and substantial use change application, and this should be added to the findings.

John Popa – Bingham Township – With regard to loud boats, the owners and the township need to know that the loud boats that come in are illegal. This has been disruptive on the lake, and they are brought to the lake because of the length of the lake. Some of these come from the campgrounds, and are illegal per state law. He wants to make sure the township addresses this, and that the campground polices these boats when they come through the campgrounds. In addition, he wants to make sure the roads are safe. Lakeshore Drive is heavily travelled and does not have a wide shoulder. There is a big danger of an accident, and there has already been a fatality when a child coming from Leelanau RV Park was killed on Lakeshore when he was hit by a vehicle. On the entrance going north, when campers are parked on the road-side, that needs to be addressed and some type of action taken.

Johnson thanked the public for all of their participation over the last few meetings.

Next Meeting Date: The next regular meeting is scheduled for November 7, 2022.

Adjournment: Johnson moved to adjourn the meeting at 8:39 PM, Kellogg seconded. All in favor, motion carried.

Respectfully Submitted,

Dana Boomer
Recording Secretary

**CENTERVILLE TOWNSHIP
LEELANAU COUNTY**

MOTION

Based on the information submitted by the Applicant Northgate Leelanau Pines, LLC, the Centerville Township Planning Commission's (PC) consideration of this application and supporting documents, the standards and requirements of the Centerville Township Zoning Ordinance (effective and amended through February 23, 2020), the Centerville Township Master Plan (effective and amended through August 26, 2019), and the Leelanau County General Plan (effective and amended through 2019), I move to disapprove the site plan application for the expansion of the Leelanau Pine Campground based on the following:

Whereas, on June 20, 2022, the Applicant, Northgate Leelanau Pines, LLC submitted an application for site plan review for the expansion of the existing Leelanau Pines Campground, located 6500 E. Leelanau Pines Dr. (Tax Parcel nos. 45-002-035-003-13, 80.08 acres), which proposes to include 172 new campsites (seasonal, RV and campers); 113 future campsites;¹ a new check-in office building; a new water front pavilion; a new marina store with food and beverage service and parking; new employee housing with parking; a new open air pavilion; new pools, equipment buildings, and bathhouse; a new maintenance building; new recreational amenities, including walking trails, boardwalk, splash pad, mini-golf, jump pillow, and sports courts; a renovated camp office and restrooms with parking; a renovated game room and storage building; a renovated bathhouse and laundry; renovated cabin; and a renovated/repaired "commercial marina and boat launch with parking;"

Whereas, the Centerville Township Zoning Administrator deemed the application administratively complete on July 17, 2022 via an email submission to the Centerville Township Planning Commission;

Whereas, the Site Span Application has been revised four times since July 17, 2022 (the latest being 9/30/22);

Whereas, the purpose of the Centerville Township Zoning Ordinance is "To promote the health, safety and general welfare of the inhabitants of the Township of Centerville, County of Leelanau, Michigan, by preventing overcrowding of lands, avoiding undue congestion of population, facilitating transportation, public utilities, and fire safety; and to promote the orderly development of the residential, commercial, recreational, agricultural, and other legitimate interests of said inhabitants..."

Whereas, the Centerville Township Planning Commission has reviewed this site plan application (and three previously revised site plans); received and considered

¹ Due to the reporting of varying camp/RV site numbers in the application and supporting documents, Agents for the applicant stated at the September 21, 2022 Centerville Township PC Special Meeting that a total of 337 sites were being proposed, with 183 existing sites. The 113 future campsites were removed from the original application in subsequent revisions.

recommendations from agencies having jurisdiction in the area of the proposed development; held a preliminary site plan review as a public hearing and received and considered public comment at a duly noticed special meeting on August 29, 2022; received and considered additional public comment and further considered, asked questions of the agents for the Applicant, and deliberated regarding revised site plans at a duly noticed special meeting on September 21, 2022; and completed a final site plan review including review of the Findings of Fact created by the Township Zoning Administrator at the October 3, 2022 Planning Commission meeting;

Whereas, the Centerville Township Zoning Ordinance provides that “each site plan shall conform to all applicable provisions of this Zoning Ordinance and the standards listed” in Article XIII Section 13(1)(G);

Whereas, upon the review and consideration described above, the Planning Commission has determined that extensive revisions to the site plan are necessary to meet the Zoning Ordinance and other applicable plans and regulations;

Therefore, I move to mark the site plan as disapproved and deny the site plan review application for the Leelanau Pines Campground based on the following findings regarding Article XIII Section 13.1.G of the Centerville Township Zoning Ordinance – Standards for Granting Site Plan Approval,² the Centerville Township Master Plan, and the Leelanau County General Plan:

Centerville Township Zoning Ordinance

- 1. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.**

Applicant has not provided sufficient information to demonstrate that the site plan will be harmoniously and efficiently organized due the presence of a shallow water table, presence of extensive wetlands, and presence of sensitive wetland/shoreline areas (it is noted that the application lists the subject parcel as 80.08 acres in size and also as 72.74 acres in size due the presence of a “swampy nature of shore,” i.e., a wetland shoreline). Further, Section 4.4 Schedule of Zoning Regulations limits “Maximum Lot Coverage” within the Commercial-Resort District to 25%. Data submitted by the Applicant states maximum “building lot coverage” is 3.6 acres/80.08 acres or 4.54%. Applicant’s building lot coverage does not account for lot coverage from all of the parking lots, pools, septage lagoons, vehicles, structures, RVs, house trailers and camper trailers, which count towards the maximum lot coverage calculation. When these items are accounted for, the total proposed lot coverage exceeds 25% (see Applicant’s 9/30/22 site plan, Sheet C200). Lastly, as vegetative screening/buffering in and of itself is inadequate to mitigate potential nuisance sound, the application does not include adequate detail/plans for mitigating the noise, campfire smoke, and light along boundaries with adjoining parcels zoned Residential 1 and Agricultural that permit single family residential use.

² Centerville Township Zoning Ordinance, effective February 2020, pp. 95-97.

- 2. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.**

The application as submitted and revised does not adequately minimize, detail, or quantify planned tree removal or topographic modifications; e.g., grading, filling, compacting, paving, etc. for campsite, internal drives, on-site parking, building footprints, renovated camp store/boat launch/parking, recreation facilities, and other proposed development areas.

- 3. Site plans shall fully conform with the published surface water drainage standards of the County Drain Commission.**

The application as submitted and revised does not demonstrate adequate conformance with the Leelanau County Drain Commission regulations or the Leelanau County Stormwater Ordinance.³ Centerville Township has not received adequate evidence of Leelanau County Drain Commission assurance or approval, storm water management calculations, or sufficient detail to assess the efficiency effectiveness of the proposed storm water management. (See relevant agency responses provided in the application, J. Vander Kodde, Fishbeck to S. Christensen, Leelanau County Drain Commissioner/SESC Officer, July 6, 2022 and Christensen to Vander Kodde replying, “please forward the sheets with respect to storm water control and sedimentation control as they are available. This site appears to have enough acreage accommodate the required structures,” dated July 10, 2022).

- 4. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring property owners.**

See #3 above. Additionally, the disposition of storm water to state-regulated wetlands or waters is a “use,” pursuant to the Michigan Wetland Protection Act, Parts 31 and 303 of the Michigan Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended. The Applicant has not provided adequate storm water management detail to the Planning Commission and has not applied for Parts 31 or 303 permits for storm water management or other site plan elements proposed to impact wetlands or surface waters. See communication from Robyn Schmidt, EGLE, WRD to Northgate Leelanau Pines, LLC, dated July 28, 2022 requiring a permit for construction of a boardwalk, construction of fishing dock, construction of storm water basins, and discharge of stormwater “unless all outfall structures are outside wetlands, the water is pretreated (including sediment removal) and the volume does not have an adverse impact on the wetland, p. 2.”

³ Leelanau County Soil Erosion, Sedimentation and Stormwater Control (SESSRC) Ordinance, November 18, 2014.

5. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein and adjacent parcels. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

Vegetative screening/buffering in and of itself does not adequately mitigate nuisance sound including RV generator use (i.e., barriers such as adequately landscaped earthen berms may adequately provide reasonable visual and sound privacy). The application does not provide adequate plans to manage/mitigate noise, visual impact, outdoor and other lighting impact (also See Section 3.18 Outdoor Lighting Ordinance), and otherwise adequately protect privacy along boundaries with adjoining properties zoned R-1 and AG.

6. All buildings or groups of buildings shall be so arranged as to permit emergency access by some practical means to all sides.

See #13 below.

7. If there is a pedestrian circulation system, it shall be insulated as completely as reasonably possible from the vehicular circulation system.

The application as submitted and revised does not adequately demonstrate that pedestrian circulation will be completely or as reasonably possibly isolated from vehicular traffic. Several letters from campers have been submitted to the public record that indicate speed limits are not currently enforced and there is no insulation between the pedestrian circulation system and the vehicular circulation system. As proposed, the expansion will not improve pedestrian circulation systems.

8. All Loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant material no less than six feet in height.

The application as submitted and revised does not adequately demonstrate compliance to this requirement.

9. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

The application as submitted and revised does not adequately demonstrate that exterior lighting shall be effectively deflected from adjoining properties or protective of the dark night sky.

- ~~10. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are a part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified by the County Road Commission.~~

See #7 above.

11. All streets shall be developed in accordance with the Centerville Township Private Road Ordinance or the Leelanau County Road Commission specifications as required.

The application as submitted and revised does not adequately demonstrate compliance to this requirement.

12. Site plans shall fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and/or the County Road Commission.

The application as submitted and revised does not demonstrate adequate conformance with the traffic safety standards of Leelanau County Road Commission. The Leelanau Pines Campground Traffic Impact Assessment - DRAFT⁴ submitted to the Township on September 21, 2022, while not projecting an unacceptable degradation in the existing level of service at CR-643 (S. Lake Shore Dr.), states that 90% of trips generated at peak hours by the Leelanau Pines site will proceed southerly on CR-643 (S. Lake Shore Dr.) and 10% will turn northerly on CR-643 (S. Lake Shore Dr.). Importantly, the expanded Leelanau Pines Campground will weekly generate a 4.6-fold increase in traffic associated with Friday check-in and Monday check-out times at S. Lake Shore Dr. These increases in traffic are contextual, and are considered to represent unacceptable increases in traffic volume and potential unacceptable hazards to public safety/pedestrian and other multi-modal non-motorized transportation, i.e., "complete streets." It is further noted that vehicle trips generated were not assessed for holidays or peak hours during holidays, and additional increased traffic is also reasonably anticipated at those times. (See Leelanau Pines Campground Traffic Impact Assessment, p. 7).

13. Site plans shall fully conform to the applicable fire safety and emergency vehicle access requirements of the State Construction Code and/or local Fire Chief requirements.

Based on information and belief, the application as submitted and revised has not demonstrated conformance with local fire safety requirements from the Cedar Area Fire & Rescue Department, or written assurance of fire & rescue department review. (See relevant agency responses provided in the application, J. Vander Kodde, Fishbeck to adoornbos@cedarfirerescue.org, dated July 6, 2022.)

~~14. Site plans shall fully conform to the County Soil Erosion and Sedimentation Control Ordinance.~~

~~See #3 above.~~

15. Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the District Health Department.

The application as submitted and revised does not demonstrate adequate conformance with Michigan EGLE Part 41 or Benzie-Leelanau District Health Department (BLDHD) codes and regulations for sewage treatment/disposal and additional required public water supply. It is noted that BLDHD informed the Applicant that "required onsite permitting will be through EGLE (Groundwater Discharge permit). Campground construction permits will also be required through EGLE (Dave Graves/Sarah Rottiers).

⁴ Leelanau Pines Campground Traffic Impact Assessment - DRAFT, K. Reidsma & A. Wambold, Fishbeck, Project No. 211505, dated September 21, 2022.

Additional Type II wells will need to be permitted through our Department. Soils in this general area are unsuitable to marginal, not sure how much expansion will be allowed with current lagoon system.” Centerville Township has not received evidence of EGLE or BLDHD related studies, engineered plans for sewage system expansion, new Type II public wells and distribution system location/detail/plans, etc., or sufficient detail to assess sewage treatment system expansion plans and the related potential for groundwater, wetland and/or surface water impact (See relevant agency responses provided in the application, C. McNitt, BLDHD to Vander Kodde, Fishbeck, July 7, 2022.)

16. Site plans shall fully conform to all applicable state and federal statutes.

Based on information and belief, the Centerville Township Planning Commission finds that there is a likelihood of pollution, impairment and destruction of the air, water and other natural resources of the State and the public trust therein as represented by this site plan, as submitted and revised, which may represent a violation of Michigan’s Part 17 of the Michigan Natural Resources and Environmental Protection Act, P.A. 451 of 1994.).

17. Site plans shall conform to all applicable requirements of local, state and federal statutes and approval shall be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

Based on information as provided by the Applicant, the Centerville Township Planning Commission finds that the application insufficiently demonstrates compliance with all applicable local and state statutes. The PC finds that it cannot conditionally approve the site plan because the application has not adequately demonstrated that the project as proposed: a) would [e]nsure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity; b) would protect the natural environment and conserve natural resources; c) would [e]nsure compatibility with adjacent uses of land; and d) would promote the use of land in a socially and economically desirable manner as required by Article XIII Section 13.1(H)(a) of the Zoning Ordinance.

The purpose of the Centerville Township Zoning Ordinance is “To promote the health, safety and general welfare of the inhabitants of the Township of Centerville, County of Leelanau, Michigan, by preventing overcrowding of lands, avoiding undue congestion of population, facilitating transportation, public utilities, and fire safety; and to promote the orderly development of the residential, commercial, recreational, agricultural, and other legitimate interests of said inhabitants”.

Based on information as provided by the Applicant, the Centerville Township Planning Commission finds that the expansion of the Leelanau Pines Campground, as proposed, is in direct conflict with the Purpose of the Centerville Township Zoning Ordinance.

Centerville Township Master Plan

Section 8.3.2 Commercial Resort states that “there are two resorts on Lake Leelanau. These businesses are thriving and contribute to our tourism economy. Their uses should continue to be supported through this district. The uses allowed under this designation should be reviewed to assure they are compatible with the goals of the township Master Plan.” (emphasis added)

Based on information provided by the Applicant, the Centerville Township Planning Commission finds that the expansion of the number of camp/RV sites, new land uses and structures at the Leelanau Pines Campground as proposed would violate several of the Goals of Chapter 7 of the Centerville Township Master Plan entitled “Community Vision, Goals & Objectives”, including the Land Use Goal, the Natural Resource Goal, and the Infrastructure and Public Service Goal.

Specifically, the proposed expansion is inconsistent with:

- a. Preserving the unique character of the Township, including the “peaceful rural character and the scenic beauty” of the Township (an overarching goal of many provisions in the entire Master Plan);*
- b. Managing growth consistent with the goals and objectives of the Master Plan (another overarching goal of many portions of the Master Plan);*
- c. Protecting water resources to ensure their quality generally, including protecting surface waters from the negative impacts of overdevelopment and overuse (Section 3.6);*
- d. Preserving and protecting wetlands (Section 3.6.2);*
- e. Generally protecting the environmental features and natural resources of the Township (Section 3.8.)*
- f. Land Use Goal 7.2.1, Objective 2: Guide growth and development towards the towns of Cedar and Lake Leelanau.*

Section 8.4 Master Plan’s Zoning Plan - Commercial/Resort states, “this district encompasses two long standing Lake Leelanau resorts. The Plan does not anticipate expansion of these uses or this district.”

Based on information provided by the Applicant, the Centerville Township Planning Commission finds that the expansion (as acknowledged by Northgate CEO Zachary Bossenbroek in a letter to campers dated 9/23/22) of the number of camp/RV sites, new day use and mooring of watercraft, and new land uses and structures at the Leelanau Pine Campground, as proposed, would violate this Section of the Centerville Township Master Plan.

Master Plan Vision Statement

According to the results of the 2011 Survey, the residents of Centerville Township value and want to maintain the peaceful rural character and the scenic beauty of their township. Most citizens want to maintain the township’s farmland, open space, and natural environment without the burden of uncontrolled growth and its associated impacts. Under Michigan law, a Master Plan should also promote public health, safety and general welfare. The Planning Commission is committed to promoting a future for

the township that is environmentally, socially and economically resilient for the present and future generations of Centerville residents.

Based on information as provided by the Applicant, the Centerville Township Planning Commission finds that the expansion of the Leelanau Pine Campground, as proposed, is in direct conflict with the Vision Statement of the Centerville Township Master Plan.

Leelanau County General Plan

The principal strategy of the Leelanau County General Plan (2019) proposes, among other things, a compact land development pattern that protects renewable resource lands (such as orchard land and forests) as well as sensitive natural resources (like wetlands and dunes). It proposes policies to encourage location of future land development in and near existing villages, as well as near Traverse City. It proposes infrastructure management policies to achieve and reinforce this land use pattern.

Accordingly, the General Plan proposes an environmental protection strategy that:

- Identifies and avoids development near sensitive environments.
- Protects water quality of surface water and ground water.
- Restricts keyhole development.
- Protects renewable resources.

Based on information provided by the Applicant, the Centerville Township Planning Commission finds that the expansion of the Leelanau Pine Campground, as proposed, would violate many of the Principal Strategies of the Leelanau County General Plan.

Additional Language:

The SUP Application accuracy is in question: The Applicant cannot provide a true number of current campsites, a true number of sites that will be removed and a true number of total campsites included after proposed modifications. This brings into question the accuracy of the entire application as well as the results of other department's responses as they are based on inaccurate information.

With regards to the Master Plan section 8.4, the pronoun "these" is clearly used in the sentence in reference to the past and existing uses, these uses being the two campground resorts. It is not exclusive to expansion via new uses, but also to the expansion of existing uses.

IT IS SO MOVED.

Date: October 3, 2022 _____

Timothy Johnson, Planning Commission Chair

Centerville Township